

## TILT OVER A LOCAL BUILDING

### Mr. Allen Denounces Methods Used in Condemning Property

**He Offers Objection to a Provision for the Extension of Columbia Road.**  
**Mr. McMillan Defends the Proposi-**  
**tion as Presented by the Commit-**  
**tee on the District of Columbia**

At the close of the morning business in the Senate today, Mr. McMillan stated that he would devote the balance of the day to the District of Columbia bills, according to his notice given on May 16. Mr. Allison objected, and asked that the consideration of the Sundry Civil bill be continued. Mr. Frye, President pro tempore, overruled the motion of Mr. Allison, and the Senate proceeded with the consideration of District bills.

The bill providing for the extension of Columbia Road east of Thirteenth Street

was taken up. Mr. Allen objected to the second section of the bill, which related to the condemnation of the land intended to be used. He spoke at length on the wrong done property holders under the law and said that condemnation proceedings were not fair.

The bill provides that within twenty days after the passage of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the Supreme Court of the Dis-

Mr. McMullen defended the bill, arguing that the jury would make a fair ruling as to payment. He stated that he desired to see the bill passed so that the improved road would be built, and that he would never say, and wanted in said bill, that the bill was for the purpose of improving the road.

Mr. Allen asked if Mr. McMillan would withdraw the second section of the bill. "I will not," said Mr. McMillan. "No," said Mr. Allen, "you want to take a man's property that is worth \$1,200 and after condemning it, will give him \$300 for it as a benefit, as provided in this bill."

Mr. Gallinger stated that all improvements made in the District of Columbia heretofore had been made through the same condemnation proceedings. "The same thing are being done in the case of the statutes in effect in the District of Columbia," said Mr. Allen, "I know of a half dozen of them."

Mr. Stewart stated that never in any case had a jury awarded a property owner less than the value of his property.

Mr. Allen stated that he had heard that it was a custom in the District of Colum-

**Condemnation Section.**  
The section relating to condemnation is as follows:

"That of the amount found to be due and awarded as damages for and in respect of the land condemned for the extension of the street across this property and thus reap a harvest.

of Columbia Road as herein provided, such amount thereof shall be assessed by the jury hereinafter provided as benefits, and to the extent of such benefits, against those pieces or parcels of land on each side of said Columbia Road as extended through block 23 of Columbia Heights, and also on any or all pieces or parcels of land

which will be benefited by the extension of said Columbia Road as said jury may find said pieces or parcels of land will be benefited; and in determining the amount

to be assessed against said pieces or parcels of land the jury shall take into consideration the respective situations of such pieces or parcels of land and the benefits they may severally receive from the extension of Columbia Road as aforesaid. Provided, that if the aggregate amount of the benefits to be assessed as determined by said jury pursuant to the provisions hereof, is less than one-half of the amount of the damages awarded for and in re-

spect of the land condemned, the Commissioners of the District of Columbia may, in their discretion, within thirty days after the filing of said award, reject the award and assessment of said jury, and all pro-

Mr. Allen held that this was a wrong and monstrous proposition and was gotten up by the chairman of the committee (Mr. McMillan) not because he wanted it, but to while away the time of the Senate and re-

the poor people of the District of Columbia.  
"If there ever was a slaphod proposition to rob property holders," said he, "this section is one."  
**Notices to Land Owners.**  
Mr. Allen then read the third section of

the bill, which provides that whenever, in the judgment of the court it is practicable to do so, a copy of the notice to attend court shall be served on such property holders as may be found by the District

"Here is a nice trap," said he. "If you can get a man out of the District for an hour you can seize his property by condemnation, and need not serve any notice upon him, unless you feel like it. This is

upon him, address you feel like it. This is unconstitutional, yet the Senator from Michigan states that it was drafted by a distinguished lawyer in the District of Columbia. Not the slightest notice is required nor any sign of a summons. The jury may be summoned, the proceeding had, and the whole matter settled before the person

"This bill also provides for a jury of seven men. Now, if you can do away with five men on a jury, for the law throughout the United States is twelve

Mr. McMillan held a brief conference with Mr. Allen and then announced that the object of Mr. Allen's objection was to have the bill consolidating certain street railways in the District of Columbia, go back to the calendar.

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